

To the Members of the California State Assembly:

I am returning Assembly Bill 42 without my signature.

This bill would require Pacific Gas & Electric Company (PG&E) to conduct seismic fault studies on the Diablo Canyon Nuclear Power Plant and the California Energy Commission, in consultation with the Department of Conservation's California Geological Survey and the Seismic Safety Commission, to perform a peer review of PG&E's work and include its finding in the Integrated Energy Policy Report.

In 2006, I signed into law AB 1632 (Chapter 766, Statutes of 2006), which required the Energy Commission to conduct a comprehensive study of the seismic vulnerability of Diablo Canyon, as well as other areas including plant-aging related plant degradation, impacts of a major disruption, economic and environmental policy issues, nuclear waste accumulation, land use and economic implications of onsite nuclear waste storage, alternative power generation options, and license renewal issues. The study subsequently recommended that PG&E should use three-dimensional geophysical seismic reflection mapping and other advanced techniques to explore fault zones near Diablo Canyon.

In 2007, the California Public Utilities Commission (CPUC) issued a General Rate Case Decision for PG&E (Decision 07-03-044), which approved PG&E's request for ratepayer funding for a license renewal feasibility study for Diablo Canyon. The CPUC's Decision also required that PG&E incorporate the Energy Commission's AB 1632 assessments in its license renewal feasibility study, and submit the study, along with an application, to the CPUC on whether to pursue license renewal for Diablo Canyon no later than June 30, 2011.

Therefore, in light of the actions already taken by the CPUC and the Energy Commission on this matter, further legislative authorization is unnecessary.

For these reasons, I am unable to sign this bill.

Sincerely,

Arnold Schwarzenegger